



REQUEST FOR QUALIFICATIONS
for
The Safe and Sound Bridge Improvement Design Build Project

State of Missouri

Project Number: J5B0800
RFQ Issued: ~~October 28~~November 06, 2008
SOQs Due: December 3, 2008

Missouri Department of Transportation
P.O. Box 270, ~~2211 St Mary's Blvd.~~
Jefferson City, MO 65109



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ADDENDA ISSUED

Addendum	Issued	Comments
Revision 01	November 6, 2008	Clarified bonding capacity submittal requirements and extended draft RFP comment date.

1 INTRODUCTION

The Missouri Department of Transportation (MoDOT) is soliciting Statements of Qualifications (SOQ) from entities (Submitters) interested in providing design-build services for the Safe and Sound Bridge Improvement Project at various locations throughout the State of Missouri.

1.1 Project Description

The Safe and Sound Bridge Improvement Project is a large-scale system improvement that will replace approximately 554 bridges in five years under one design-build contract. In order to keep costs under control, MoDOT expects and encourages innovative methods while keeping public inconvenience to a minimum. The contract team is challenged with delivering quality projects on a large scale in a short time and at a good value.

The improvements shall replace bridges in poor or serious condition located on major and minor highways throughout the state. MoDOT believes that innovative fabrication and construction methods and approaches identified through the private sector will reduce costs for the project. MoDOT will supply the Proposers with a menu of required bridge design options, minimum Maintenance of Traffic requirements, and final bridge deck curb to curb widths. MoDOT will provide permanent signing, pavement markings, and traffic control on bridge closures; the contract team will be responsible for such aspects on bridges that are not closed which utilize techniques including but not limited to staged construction, bypasses, or crossovers. The Contractor shall be responsible for all traffic control for the route passing under a grade separation, as required.

1.2 Project Goals

The following prioritized goals have been established for the project:

- a) Deliver good bridges at a great value.
- b) Minimize public inconvenience through increased construction speed and flexibility with schedule.
- c) Complete construction no later than October 31, 2014.

1.3 Cost and Maximum Time Allowed

The Proposers shall submit a fixed price to replace the 554 Project Bridges. The Project must be completed no later than October 31, 2014.

1.4 Stipend

MoDOT will pay a stipend to the responsible Proposer(s) that provide a fully responsive, but unsuccessful, Proposal in concurrence with state law. The amount of the stipend shall be one million dollars (\$1,000,000) and shall be provided to such

Proposer(s) in accordance with the Instructions to Proposers. No stipends will be paid for submitting SOQs.

1.5 Procurement Process

MoDOT will use a two-phase procurement process to select a design-build contractor to deliver the Safe and Sound Bridge Improvement Design Build Project. This Request for Qualifications (RFQ) is issued as part of the first phase to solicit information, in the form of SOQs, that MoDOT will evaluate to determine which Submitters are the most highly qualified to successfully deliver the Project. MoDOT will short list at least two (if any) but not more than five most highly qualified Submitters that submit SOQs.

The Request for Proposals (RFP) is issued as the second phase of the procurement process. Each short listed Submitter that submits a Proposal in response to the RFP is referred to herein as a Proposer. MoDOT will award a Design-Build Contract (if any) for the Project to the Proposer offering the best value, to be determined as described in this RFP. Proposals will only be considered from those proposers (Proposers) that were notified in writing by MoDOT that they were short listed under MoDOT's Request for Qualifications.

The RFP includes the following documents (RFP Documents):

- Instructions to Proposers (ITP)
- Book 1 – Design-Build Contract and Exhibits
- Book 2 – Performance Requirements
- Book 3 – Applicable Standards
- Book 4 – Contract Drawings, Data, and Reports
- Book 5 – Informational Documents

The Contract Documents include Books 1 through 4. The Proposal will also be a Contract Document to the extent set forth in the RFP.

1.6 Procurement Objectives

MoDOT is committed to partnering with the highway design and construction industry to deliver the Safe and Sound Bridge Improvement Design Build Project successfully by developing a design-build procurement process that allows Proposers to achieve or exceed the Project goals. The successful Proposer for the Safe and Sound Bridge Improvement Design Build Project will fully understand the Project goals and the design-build procurement process to deliver a Proposal that provides MoDOT and the citizens of Missouri practical transportation solutions within the available budget. The procurement process will begin with an RFP and will rely upon the Proposers and a multi-phased discussion process to refine the technical requirements (Additional Applicable Standards) and innovative solutions including the Project Definition, Schedule, approach to Disadvantage Business Enterprise, and Workforce Utilization plan. The general phases of the procurement process are:

- Industry Review – MoDOT intends to discuss with the Proposers the big picture items including the procurement process, schedule for the procurement process, process to define Additional Applicable Standards and the Proposal evaluation process.
- Initial Technical Proposal Discussions – MoDOT will hold a series of one-on-one confidential meetings with each Proposer where the Proposer may present Initial Technical Proposal concepts, Additional Applicable Standards and design exceptions, if any, to MoDOT and FHWA. The parties will conduct discussions regarding whether the Proposer's Initial Technical Proposal is consistent with the desires of MoDOT and the Additional Applicable Standards and design exceptions, if any, are acceptable. MoDOT intends for the Technical Proposals to achieve or exceed the Project goals. MoDOT will provide comments on the Initial Technical Proposal, prior to submittal of the Final Technical Proposal.
- Draft RFP Discussions – MoDOT intends to conduct confidential meetings with each Proposer to review and discuss the contract language within the Draft RFP. These discussions will be scheduled within specific timeframes prior to Initial Technical Proposal submittal and prior to Final Proposal submittal.
- Final Technical Proposal/Price Allocation Discussions – MoDOT intends to negotiate with the apparent successful Proposer final contractual details including the use of the unsuccessful Proposers' solutions, if any, clean-up of any contractual issues and ensuring the enforceability of the Additional Applicable Standards.

MoDOT encourages confidential discussions with the Proposers throughout the procurement process.

2 RFQ PROCESS

2.1 Submitter Information

If an entity intends to submit a proposal as part of a team, the entire team is required to submit a single SOQ as a single Submitter.

2.2 Communications

MoDOT's Project Director, Ken Warbritton, is MoDOT's sole contact person for receiving all communications regarding the project. Each submitter is solely responsible for providing a single contact person.

Inquiries and comments regarding the Project and the procurement must be sent to Mr. Warbritton as shown below. E-mail is the preferred method of communication for the Project.

Kenyon Warbritton, PE
Bridge Improvement Program Project Director
Missouri Department of Transportation
105 West Capitol Avenue
P.O. Box 270
Jefferson City, MO 65102

Office: 573-526-3282
Cell: 573-291-4082
Fax: 573-522-2279

Send Parcel Post to:

Kenyon Warbritton, PE
Bridge Improvement Project Director
Missouri Department of Transportation
1320 Creek Trail Drive
Jefferson City, MO 65109

e-mail:

safeandsound@modot.mo.gov

During the Project procurement process, commencing with issuance of this RFQ and continuing until award of a contract for the Project (or cancellation of the procurement), no employee, member, or agent of any Submitter shall have ex parte communications regarding this procurement with any member of MoDOT or the Federal Highway Administration, their advisors, or any of their contractors or consultants involved with the procurement, except for communications expressly permitted by this RFQ (or subsequent to issuance of the RFP, except for communications expressly permitted by the RFP). Any Submitter engaging in such prohibited communications may be disqualified at the sole discretion of MoDOT's Project Director. However, communication is allowed with local entities and the general public.

Questions and requests for clarifications regarding this RFQ must be submitted via e-mail to MoDOT's Project Director by 4:00 pm, Central Standard Time, on the date shown in Section 2.2.

2.3 Procurement Schedule

Deadlines for submitting RFQ and RFP questions, and SOQs, are shown below. This schedule is subject to revision by addenda to this RFQ and by the RFP.

Item	Date
Issue Draft RFP	October 29, 2008
Issue Request for Qualifications	October 29, 2008
Industry Review of RFP	October 29-November 5, 2008
Industry Meeting to discuss RFP	October 30, 2008
Deadline for submitting RFP questions	November 14, 2008
Commission posts final responses to RFP	November 17, 2008
Final RFQ Addendum issued	November 24, 2008
Deadline for submitting SOQs	December 3, 2008
Issue RFP	December 16, 2008
MoDOT notifies short listed Submitters	December 16, 2008
Technical Discussions	December 16, 2008 – January 30, 2009, & March 30, 2009 – April 3, 2009
RFP Language Negotiations	February 3, 2009 – March 5, 2009
Initial Technical Proposals Due	March 24, 2009
MoDOT provides comments on Initial Technical Proposal	March 30, 2009
Proposal Due with Pricing	April 24, 2008
Select Team	May 1, 2009
Limited Negotiations/Contract Clarifications	May 1 – May 14, 2009
Contract Executed by Contractor & Delivered to Commission	Within 10 Business Days
Commission Execution	As Soon as Practical

2.4 Addenda

MoDOT reserves the right to revise this RFQ at any time before the SOQ due date. A link to any addenda will be posted on the Project web site, <http://www.modot.org/safeandsound>.

Questions, requests for clarifications, and responses will be posted on the project web site. Submitter's names will not be identified.

2.5 Confidentiality

Documents submitted pursuant to this RFQ will be subject to the Missouri Public Records Act, (§§ 610.010, et.seq., RSMo). Information clearly marked as confidential and proprietary will be kept confidential by MoDOT, unless otherwise provided by law. MoDOT will notify the Submitter if a request is made for such information, and the denial is challenged, so that the Submitter may take any action it deems necessary to defend the challenge. The Submitter, not MoDOT, shall be the entity responsible for defending against the Missouri Public Records Act disclosures for any records claimed by the Submitter to be confidential and proprietary.

2.6 Organizational Conflicts of Interest

Submitter must provide to MoDOT information regarding all potential organizational conflicts of interest in its proposal, including all relevant facts concerning any past, present or currently planned interests which may present an organizational conflict of interest, as required by 23 CFR 636.116. MoDOT's Project Director will determine whether an organizational conflict of interest exists, and the actions necessary to avoid, neutralize, or mitigate such conflict.

MoDOT may disqualify a Submitter if any of the Major Participants (as defined in Section 2.10) belong to more than one Submitter organization.

2.7 Equal Employment Opportunity

The Submitter will be required to follow Federal Equal Employment Opportunity (EEO) policies.

MoDOT will affirmatively assure that on any project constructed pursuant to this advertisement, equal employment opportunity will be offered to all persons without regard to race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local commission, disability, sexual orientation, or age.

2.8 Disadvantaged Business Enterprises

It is the policy of MoDOT that Disadvantaged Business Enterprises (DBEs), as defined in 49 CFR, and other small businesses shall have the opportunity to compete fairly in contracts financed in whole or in part with public funds. Consistent with this policy, MoDOT will not allow any person or business to be excluded from participation in, denied the benefits of, or otherwise be discriminated against in connection with the award and performance of any U.S. Department of Transportation assisted contract because of sex, race, religion, or national origin.

A draft DBE goal of 7% of the Contract value has been established for the project. MoDOT has implemented the Unified Certification Program and has formed the Missouri Regional Certification Committee (MRCC). DBE firms will need to be certified with MRCC. The MRCC DBE Directory can be viewed at the following web site:

http://www.modot.mo.gov/business/contractor_resources/External_Civil_Rights/DBE

[_program.htm.](#)

2.9 Major Participant

The term Major Participant is defined as any of the following entities:

- All general partners or joint venture members of the Submitter; all individuals, persons, partnerships, limited liability partnerships, corporations, limited liability companies, business associations, or other legal entities, however organized, directly or indirectly holding a 15% or greater interest in the Submitter.
- The lead engineering/design firm(s).
- Each subcontractor that will perform work valued at 20% or more of the construction work.

Major Participants identified in the SOQ may not be removed, replaced, or added without written approval of the MoDOT Project Director. Written request must document the proposed change and demonstrate that the change will be equal to or better than the Major Participant submitted in the SOQ.

2.10 Key Personnel

Key Personnel identified in the SOQ may not be removed, replaced, or added without written approval of MoDOT. Written request must document the proposed change and demonstrate that the change will be equal to or better than the Key Personnel submitted in the SOQ.

2.11 Venue

By responding to this *Request for Qualifications* and by submitting a response to the *Request for Qualifications*, Proposer specifically, knowingly, and voluntarily consents to the jurisdiction of the Circuit Court of Cole County, Missouri as venue for all matters, disputes, conflicts, or claims arising out of or related to the procurement of Commission Job No. J5B0800 or the submission of a response by Proposer to the Commission's Request for Proposals for Commission Job No. J5B0800.

3 CONTENTS OF SOQ

3.1 Organization of SOQ

The SOQ shall be organized as follows:

- Cover Letter
- Title Page
- Table of Contents

- Part 1 – Submitter Experience
- Part 2 – Key Personnel and Organization
- Part 3 – DBE Plan
- Appendix A – Team Member Information
- Appendix B – Reference Projects
- Appendix C – Resumes
- Appendix D – Receipt of Addenda

3.2 Cover Letter

A one-page cover letter shall be included in the SOQ. The cover letter must contain the business name, business type (corporation, joint venture, partnership) and must identify one contact person. The address, phone, fax, and e-mail for the contact person must be included.

3.3 Part 1 – Submitter Experience

Demonstrate relative experience with projects that involve design and construction. Identify the team member's ability to meet the goals of the reference Bridge Improvement Project. At a minimum, demonstrate experiences in each of the following areas:

- Deliver a project within budget.
- Experience and approaches to delivering projects on schedule or ahead of schedule.
- Design, construction, and administration of a large-scale program.
- Integration of design, construction, coordination with governmental agencies and safety.
- Meeting or exceeding project DBE goals.

A maximum of 5 reference projects can be described for each Submitter. Work on the reference projects must be within the past seven years.

Appendix B shall be incorporated into Part 1 by reference. MoDOT reserves the right to contact references identified in Form 2 – Reference Project Summary.

3.4 Part 2 – Key Personnel and Organization

Each Submitter shall define Key Personnel and a corresponding organizational chart that demonstrates the Submitter's knowledge of the Project and approach to meeting the project goals. Each Submitter shall describe the organization style of the team and indicate how the qualifications of each Key Personnel increase the Submitter's ability to meet or exceed the Project goals.

Submitters should identify the following five Key Personnel positions.

- **Project Manager** – The Project Manager is responsible for all aspects of the Project, including, but not limited to, overall design, construction, quality management, contract administration, and coordination with governmental agencies. The Project Manager should have at least ten years of recent experience managing the design and construction of large-scale infrastructure project. The Project Manager must be assigned to the Project full time and shall be required to be available for the duration of the Project.
- **Quality Manager** – The Quality Manager's responsibilities include, but are not limited to, creation and execution of the Submitter's quality program, quality assurance activities independent of production, enforcement of the Contractors quality procedures, and documentation of the Contractors quality records including design, construction, environmental compliance and DBE/labor compliance. The Quality Manager shall report directly to the Submitter's executive management team. The Quality Manager should have at least ten years of recent experience developing, implementing, and overseeing quality programs.
- **Design Manager** – The Design Manager is responsible for ensuring the project design is completed and all design requirements are met. The Design Manager must be assigned to the Project full time during design activities, and be available during construction activities. The Design Manager should have at least ten years of recent experience managing the design of transportation projects and must be a registered professional engineer in the State of Missouri.
- **Construction Manager** – The Construction Manager shall be responsible for the overall structure and roadway construction for the Project. The Construction Manager shall be assigned to the program full time during construction activities. The Construction Manager shall have at least seven years of recent experience managing the construction of transportation projects and materials testing.
- **Public Relations Coordinator** – The Public Relations Coordinator shall be responsible for coordinating public relations activities with MoDOT staff who will implement the program statewide. This individual will publicly represent the Contractor, and will provide support to the MoDOT public involvement implementation effort, as well as coordinate specific commitments by the Contract team in addressing stakeholder concerns. The Public Relations Coordinator shall have at least four years of recent experience in public relations efforts on large transportation projects.

Submitters may provide up to four additional Key Personnel with minimum requirements in the SOQ.

Appendix C shall be incorporated into Part 2 by reference.

3.5 Part 3 – DBE Plan

Describe the Submitter's detailed plan to meet or exceed the DBE participation goals described in Section 2.7.

3.6 Appendix A – Major Participant Information

Appendix A must include:

- Form 1 – Major Participant Information. One form is to be completed for each Major Participant.
- Letter(s) of Bonding Capacity – Each Major Participant providing performance and payment bonds shall provide letter(s) from a surety or insurance company or companies stating that the Major Participant is capable of obtaining a performance bond and payment bond covering their anticipated portion of the Project. In the case of a joint venture, multiple letters may be provided for members who will be jointly and severally liable for the work. The amount of bonding capacity stated in this documentation shall total at least \$350 million. Letters indicating “unlimited” bonding capability are not acceptable. The surety or insurance company or companies providing such letter(s) must be licensed as a surety or sureties and qualified to do business in the State of Missouri and must be listed in the current edition of US Department of Treasury, Fiscal Service – Circular 570, *Companies Holding Certificates of Authority as Acceptable Sureties of Federal Bonds and as Acceptable Reinsuring Companies*.

3.7 Appendix B – Reference Projects

Appendix B must include:

- Form 2 – Reference Project Summary. One summary is to be completed for each reference project described in Part 1. Each summary is limited to a maximum of two pages. A maximum of 5 reference projects can be described for each Submitter.

3.8 Appendix C – Resumes

Appendix C must include:

- Form 3 – Resume Summary
- Resumes – Resumes for the identified Key Personnel are to be included. Additionally, resumes may be included for up to four additional personnel. Each resume is limited to two pages.

3.9 Appendix D – Receipt of Addenda

- Appendix D must include Form 4 – Receipt of Addenda.

4 SUBMITTAL REQUIREMENTS

4.1 Page Limits

The maximum number of pages is shown in the following table:

Item	Maximum Number of Pages
Cover Page	1
Title Page	1
Table of Contents	1
Part 1 – Submitter Experience	15
Part 2 – Key Personnel and Organization	
Part 3 – DBE Plan	
Appendix A – Major Participant Information	as needed
Appendix B – Reference Projects	10
Appendix C – Resumes	10
Appendix D – Receipt of Addenda	1

Dividers between sections of the SOQ are not counted.

4.2 Format

The SOQ must be formatted for 8.5" x 11" paper. Charts and other graphical information may be formatted for 11" x 17" paper. Use of 11" x 17" format shall be limited to a maximum of two pages. Minimum font size is 11 points. However, 10-point text may be used within graphs or tables.

4.3 Due Date and Quantities

SOQs must be submitted by 2:00 pm, Central Standard Time, on the date shown in Section 2.3. One hard copy of the SOQ is to be delivered to the Project Director as shown in Section 2.2. Submitters shall also e-mail one Adobe Acrobat format of the SOQ, in a single .pdf file, to safeandsound@modot.mo.gov by the same due date and time.

5 EVALUATION PROCESS

5.1 SOQ Evaluation

MoDOT will evaluate all responsive SOQs to determine the most highly qualified Submitters. MoDOT will use the criteria set forth in this RFQ using the following weightings:

Item	Weight
Part 1 – Submitter Experience	50%
Part 2 – Key Personnel and Organization	50%
Part 3 – DBE Plan	pass/fail

5.2 Short Listed Submitters

MoDOT will use the SOQ Evaluation Process to determine a ranked list of Submitters. MoDOT will short-list at least two (if any) but not more than five most highly qualified Submitters.

MoDOT will publish a list of short listed Submitters on the project web site and will notify, via e-mail, all Submitters of the posting of this information.

5.3 Debriefing Meetings

After the short list is posted, Submitters may request an informal debriefing meeting with MoDOT to discuss the RFQ and the short-listing process.

6 PROTEST PROCEDURES

6.1 RFQ Protests

A Submitter may protest the results of the above-described evaluation and qualification process by filing a written notice of protest by hand delivery or courier to the Director of MoDOT with a copy to the MoDOT Project Director. The protesting Submitter shall concurrently file a copy of its notice of protest with the other Submitters. The notice of protest shall specifically state the grounds of the protest.

Notice of protest of any decision to accept or disqualify an SOQ on responsiveness grounds must be filed within five calendar days after the earliest of notification of non-responsiveness or the public announcement of short listing. Notice of protest of the decision on short listing must be filed within five calendar days after the public announcement of short listing.

Within seven calendar days of the notice of protest, the protesting Submitter must file with the Director of MoDOT, with a copy to MoDOT Project Director, a detailed statement of the grounds, facts and legal authorities, including all documents and evidentiary statements, in support of the protest. The protesting Submitter shall concurrently deliver a copy of the detailed statement to all other Submitters. Evidentiary statements, if any, shall be submitted under penalty of perjury. The protesting Submitter shall have the burden to prove that the decision of MoDOT was arbitrary and capricious.

Failure to file a notice of protest or a detailed statement within the applicable period shall constitute an unconditional waiver of the right to protest the evaluation or

qualification process and decisions thereunder, other than any protest based on facts not reasonably ascertainable as of such date.

Other Submitters may file by hand delivery or courier to the Director of MoDOT, with a copy to the MoDOT Project Director, a statement in support of or in opposition to the protest. Such statement must be filed within seven calendar days after the protesting Submitter files its detailed statement of protest. MoDOT will promptly forward copies of any such statements to the protesting Submitter.

Unless otherwise required by law, no evidentiary hearing or oral argument shall be provided, except, in the sole and absolute discretion of the Director of MoDOT, a hearing or argument may be permitted if necessary for protection of the public interest or an expressed, legally recognized interest of a Submitter or MoDOT. The Director of MoDOT or his designee will issue a written decision regarding the protest within 30 calendar days after MoDOT receives the detailed statement of protest or any allowed (discretionary) evidentiary hearing or oral argument. Such decision shall be final and conclusive. The Director of MoDOT or his designee will deliver the written decision to the protesting Submitter and copies to the other Submitters.

If a notice of protest regarding responsiveness is filed prior to release of the draft RFP, MoDOT may proceed with issuance of the draft RFP before the protest is withdrawn or decided, unless the Director of MoDOT or his designee determines, in his or her sole discretion, that it is in the public interest to postpone issuance of the draft RFP. Such a determination shall be in writing and shall state the facts on which it is based.

If the Director of MoDOT or his designee concludes that the Submitter filing the protest has established a basis for protest, the Director or his designee will determine what remedial steps, if any, are necessary or appropriate to address the issues raised in the protest. Such steps may include, without limitation, withdrawing or revising the decisions, issuing a new request for qualifications or taking other appropriate actions.